

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Robin Hensel,

Plaintiff,

v.

Civ. No. 12-1160 (RHK/LIB)
ORDER

City of Little Falls, MN, et al.,

Defendants.

On May 14, 2012 Plaintiff commenced this action alleging that a city ordinance limiting the number and size of signs that residents can display in their yards violates the First Amendment of the United States Constitution. Plaintiff brought a Motion for Partial Judgment on the Pleadings, seeking a declaration that the ordinance is unconstitutional on its face; that Motion is scheduled for hearing on October 3, 2012. On July 3, 2012, however, Defendant City of Little Falls amended the ordinance upon which Plaintiff's claims and the pending Motion are based. Now Plaintiff moves to amend her Complaint a second time to address the current ordinance, and a hearing on that Motion has been scheduled for September 26.

Because the parties may be amending their pleadings prior to the October 3rd hearing on this Motion, and to avoid unnecessarily duplicative motions, **IT IS ORDERED** that Plaintiff's Motion for Partial Judgment on the Pleadings (Doc. No. 8) is

DENIED WITHOUT PREJUDICE. Plaintiff may again move for judgment on the pleadings after her Motion to Amend the Complaint is resolved.

Date: September 4, 2012

s/Richard H. Kyle

RICHARD H. KYLE

United States District Judge